

TRENTON BOARD OF EDUCATION
108 North Clinton Avenue
Trenton, New Jersey 08609
BOARD MEETING MINUTES
Friday – January 6, 2017 – 8:00 a.m.

Completed January 9, 2017
Convened at 8:00 A.M.

Call to Order

Board President Jason Redd called the meeting to order at 8:00 a.m.

Pledge of Allegiance

President Redd led the salute to the flag.

Roll Call

Present:

Gene Bouie
D. A. Graham
Fiah Gussin
Jason Redd
Jane Rosenbaum – arrived 8:30 a.m.
Guillermo Gomez Salazar
Gerald Truehart II
Lucy Vandenberg – arrived 8:10 a.m.

Acting Superintendent of Schools – Lissa Johnson - Present

Business Administrator/Board Secretary – Jayne Howard - Present

New Jersey Sunshine Law - Read by Board President Redd

The New Jersey Public Meetings Law was enacted to ensure the right to the public to have advanced notice of and to attend the meetings of public bodies at which any business affecting their interest is discussed or acted on.

On the rules of this act, the Trenton Board of Education has caused notice of this meeting by publicizing the date, time and place, therefore posted in the Central Services Building, 108 North Clinton Avenue, City Clerk's Office, City Hall and the Times. Anyone whose name is on the mailing list should receive a notice.

Formal action will take place at this meeting.

TRENTON BOARD OF EDUCATION
108 North Clinton Avenue
Trenton, New Jersey 08609
BOARD MEETING MINUTES
Friday – January 6, 2017 – 8:00 a.m.

Adoption Of Agenda

Motion was made by Dr. Graham and seconded by Mr. Gomez Salazar to adopt the agenda. Agenda was adopted by all Board Members present.

<u>ROLL CALL</u>	YES	NO	ABSTAIN
Gene Bouie	X		
D. A. Graham	X		
Fiah Gussin	X		
Jane Rosenbaum	not present for vote		
Guillermo Gomez Salazar	X		
Gerald Truehart II	X		
Lucy Vandenberg	not present for vote		
Jason Redd	X		

PUBLIC PARTICIPATION

President Redd advised that the two contracts on tonight's agenda are similar in scope to the previous contracts that were approved at the last Board meeting. They include the same rate of pay, the State minimum, which is \$177,500.00. They also include a 30-day provision that allows either the Acting Superintendent or the Board, should the full time candidate be identified through the ongoing search, to assume that role. So there's a 30-day opt-out clause for both parties in both contracts as the search continues.

Councilwoman Phyllis Holly-Ward spoke on behalf of City Council and presented the Board with a resolution that was passed last night by Council, requesting that the Board toll the appointment of Nelson Ribon as Superintendent.

Ms. Naomi Johnson-Lafleur, President of the Trenton Education Association (TEA), thanked the members of the various bargaining units that attended this morning's meeting. She stated the unions' concern that the Board lacks transparency and is not inclusive and respectful of the community at large. She also said that the Board is violating the negotiated bargaining agreements by appointing an Acting Superintendent without considering candidates from within the District, and the Board will be served with an unfair labor practice suit. Ms. Lafleur felt that today's actions are backed by the State.

Ms. Janice Williams, TEA Grievance Chair, discussed political consequences for any public officials who do not support the public schools through their actions.

Ms. Nicole Whitfield, Special Parent Advocacy Group (SPAG), discussed Mr. Ribon's appointment in light of the many issues the District faces. She stated her concerns including the number of special needs students waiting for services, responsiveness to the public, layoffs of staff and weak leadership.

Ms. Eris Tunstall, Vice President of the Trenton Paraprofessionals Association, felt there is a lack of transparency and involvement from some of the Board Members.

TRENTON BOARD OF EDUCATION
108 North Clinton Avenue
Trenton, New Jersey 08609
BOARD MEETING MINUTES
Friday – January 6, 2017 – 8:00 a.m.

Mr. Billie Hayes, Community Member, felt the Board is not responsive to the community. He expressed concern with the appointment of Mr. Ribon and stated it is against the law. He also stated that numerous African American males have applied for Principal positions and have been discriminated against based on their race. He felt that the Assistant Superintendent for Talent Acquisition and Development is not suitable to serve as the Acting Superintendent as per a resolution on today's agenda. He also said that it will be a problem for him if the appointments on today's agenda are approved by the Board.

BOARD MEMBER COMMENTS

Mr. Bouie said he does live in Trenton and he has two children who graduated from the Trenton Public Schools. He spoke in support of the appointment of Mr. Ribon and said that he was the most qualified candidate. Mr. Bouie also stated that he will hold Mr. Ribon accountable to do the best for the children of Trenton.

Mr. Gomez Salazar yielded his time to Councilman Alex Bethea to address the Board. Councilman Bethea spoke of his personal and professional association with the Trenton Public Schools for 40 years. He expressed concern about the appointment of Mr. Ribon.

Mr. Truehart said he is a little uncomfortable with the process used to make the appointment of Mr. Ribon. He stated that the Board advertised for an Interim Superintendent, not an Acting Superintendent or an Assistant Superintendent. Ms. Derlys Gutierrez from the law firm Adams Gutierrez & Lattiboudere (AGL) responded that the Board did indeed post a position for Interim Superintendent and that on December 12, the Board appointed Mr. Ribon pending County Superintendent approval. This approval of the contract is a required part of the process. When the contract was submitted to the County office, the response received was that the Department of Education (DOE) is no longer going to accept the title of Interim Superintendent for anyone who is not a retired employee. Ms. Gutierrez advised that everyone needs to understand that the DOE had previously acknowledged and accepted the title of Interim Superintendent for an employee who was not retired when it approved the Interim Superintendent contract for Ms. Lucy Feria. She stated that this was established precedent for the process, and that process has also been used in other school districts. She stated that for reasons that were not explained to the District, the DOE refused to accept the Interim Superintendent title; and they told the office of AGL that the only way to appoint a temporary Superintendent – someone to fill the gap while the Board continues to search for a Superintendent – is to use the term Acting Superintendent. She advised everyone it's important to remember that the Board is not giving up on a Superintendent Search; but with Ms. Feria's resignation, someone is needed at the helm, which is why Ms. Johnson was appointed as the Acting Superintendent. Ms. Gutierrez said the DOE told the District that the only way to have the Acting Superintendent title is for the Board to hire Mr. Ribon as Assistant Superintendent and then immediately hire him as Acting Superintendent with a specific contract. The contract terms are the same, the salary information is the same, and there is a 30-day termination clause in the contract. Ms. Gutierrez said the other factor is that the DOE was concerned about the Board approving a contract for January through December. The DOE informed the office of

TRENTON BOARD OF EDUCATION
108 North Clinton Avenue
Trenton, New Jersey 08609
BOARD MEETING MINUTES
Friday – January 6, 2017 – 8:00 a.m.

AGL that one contract is needed for January through June, and another for July through December. The inclusion of the 30-day termination clause is different from regular Superintendent contracts, which have much longer clauses of termination.

Prior to the Board vote, President Redd said he stands by the Board's decision to select Mr. Ribon as the Acting Superintendent to lead the District while the search continues. Following this, Dr. Graham called for a recess due to lack of proper decorum in the assembly.

When the meeting opened back up to public record, Ms. Vandenberg said the way the process has unfolded is unfortunate. She wished the State had laid out a clear path in advance and explained to the Board the correct process up front. She also stated that everyone who participated in the interview process did so in good faith to select the best candidate. She expressed her confidence in Mr. Ribon.

Mr. Gomez Salazar expressed concern with the level of discourse at the Board Meetings, and he stated that a lack of respect is holding the District back.

BOARD DISCUSSION & ACTION ON CONSENT AGENDA

President Redd asked for any further discussion on the Consent Agenda. Hearing none, he asked for a motion to approve.

Motion was made by Dr. Graham and seconded by Ms. Gussin to approve the Consent Agenda. With six (6) Yes votes and two (2) Abstentions, the Consent Agenda was **approved**.

<u>ROLL CALL</u>	YES	NO	ABSTAIN
Gene Bouie	X		
D. A. Graham	X		
Fiah Gussin	X		
Jane Rosenbaum	X		
Guillermo Gomez Salazar			X
Gerald Truehart II			X
Lucy Vandenberg	X		
Jason Redd	X		

CONSENT AGENDA:

RESOLUTION RATIFYING THE STATE MONITOR'S APPOINTMENT OF LISSA JOHNSON AS ACTING SUPERINTENDENT FROM JANUARY 4, 2017 THROUGH JANUARY 6, 2017

WHEREAS, due to the resignation of Interim Superintendent Lucy Feria, which became effective at the close of business on January 3, 2017, the Board advertised for individuals to serve as interim Chief School Administrator; and

WHEREAS, since the Board will be appointing Nelson Ribon as Assistant Superintendent and Acting Superintendent at the January 6, 2017 special Board meeting, a need arose to appoint an Acting Superintendent to serve between January 4, 2017 and January 6, 2017; and

TRENTON BOARD OF EDUCATION
108 North Clinton Avenue
Trenton, New Jersey 08609
BOARD MEETING MINUTES
Friday – January 6, 2017 – 8:00 a.m.

WHEREAS, the State Fiscal Monitor, in accordance with N.J.S.A 18A:7A-55, appointed Lissa Johnson to serve as Acting Superintendent from January 4, 2017 until the Board formally appoints Nelson Ribon as Acting Superintendent on January 6, 2017;

NOW THEREFORE BE IT RESOLVED that the Board hereby ratifies the State Monitor’s appointment of Lissa Johnson as Acting Superintendent from January 4, 2017 until the Board formally appoints Nelson Ribon as Acting Superintendent at the meeting on January 6, 2017.

**RESOLUTION APPOINTING NELSON RIBON AS ASSISTANT SUPERINTENDENT FROM
JANUARY 4, 2017 THROUGH DECEMBER 31, 2017**

WHEREAS, due to the resignation of Interim Superintendent Lucy Feria, which became effective at the close of business on January 3, 2017, the Board advertised for individuals to serve as interim Chief School Administrator; and

WHEREAS, after a thorough interview process, the Board determined that Nelson Ribon was the most qualified candidate to serve as the interim Chief School Administrator; and

WHEREAS, on December 20, 2016 the Board Attorney was advised that the Department of Education was instituting a policy change and would no longer be approving “Interim Superintendent” contracts for non-retirees, and the Department directed the District to submit employment contracts naming Nelson Ribon as an Assistant Superintendent and as Acting Superintendent, rather than “Interim Superintendent;” and

WHEREAS, on December 27, 2016, the Interim Executive County Superintendent for Mercer County reviewed and approved the employment contract for Nelson Ribon as Assistant Superintendent for the period of January 3, 2017 through December 2017;

NOW THEREFORE BE IT RESOLVED that the Board hereby appoints Nelson Ribon as Assistant Superintendent effective January 4, 2017 through December 31, 2017 in accordance with the terms of the employment contract.

**RESOLUTION APPOINTING NELSON RIBON AS ACTING SUPERINTENDENT FROM
JANUARY 4, 2017 THROUGH DECEMBER 31, 2017**

WHEREAS, due to the resignation of Interim Superintendent Lucy Feria, which became effective at the close of business on January 3, 2017, the Board advertised for individuals to serve as interim Superintendent; and

WHEREAS, after a thorough interview process, the Board determined that Nelson Ribon was the most qualified candidate to serve as the Acting Superintendent; and

WHEREAS, on December 27, 2016, the Interim Executive County Superintendent for Mercer County reviewed and approved the employment contract for Nelson Ribon as Acting Superintendent for the period of January 3, 2017 through December 2017;

NOW THEREFORE BE IT RESOLVED that the Board hereby appoints Nelson Ribon as Acting Superintendent effective January 4, 2017 through December 31, 2017 in accordance with the terms of the employment contract; and

BE IT FURTHER RESOLVED that the terms of the Acting Superintendent employment contract will immediately supersede and replace the terms of the Assistant Superintendent employment contract.

TRENTON BOARD OF EDUCATION
108 North Clinton Avenue
Trenton, New Jersey 08609
BOARD MEETING MINUTES
Friday – January 6, 2017 – 8:00 a.m.

SUPERINTENDENT’S REMARKS

President Redd invited Superintendent Ribon to address the public. The Superintendent thanked the Board and community for the opportunity. He stated he is appreciative of the opportunity he has had in the past few weeks to visit some of the schools and see the positive things happening. Mr. Ribon said he looks forward to working closely with everyone to see that the students’ needs are met, stating that the children are amazing. He discussed moving the District forward and asked the community and parents to reach out with their concerns.

Dr. Graham thanked Superintendent Ribon for accepting the challenge. On behalf of the Board, President Redd congratulated the new Superintendent and called for adjournment of the meeting.

ADJOURN 9:00 a.m.

Respectfully submitted

Jayne S. Howard

Jayne S. Howard
Business Administrator/Board Secretary